

## Exhibit 88

## **Senate Inquiry Into Narcotic Drug Makers' Ties**

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### **Body**

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Two senior senators said on Tuesday that they had opened an investigation into financial ties between producers of prescription painkillers and pain experts, patient advocacy groups and organizations that set guidelines on how doctors use the drugs.

In a letter, the Senate Finance Committee said that it was undertaking the inquiry to make sure that doctors and patients were getting accurate information about the medications' risks and benefits, uncolored by the financial interests of producers.

The letter was signed by Max Baucus, Democrat of Montana and chairman of the Finance Committee, and by Charles E. Grassley, Republican of Iowa.

"Overdoses on narcotic painkillers have become epidemic and it's becoming clear that patients aren't getting a full and clear picture of the risks posed by their medications," Senator Baucus said in a statement. Senator Grassley, in a statement, added: "The problem of opioid abuse is bad and getting worse."

The committee also sent letters Tuesday to several academic experts seeking information about their ties to producers.

Narcotic painkillers, called opioids, are the most widely prescribed class of drugs in the United States. In the last decade, the number of prescriptions doctors write annually for drugs like OxyContin, Vicodin, fentanyl and methadone has jumped fourfold.

In some states, more people die in a year from overdoses involving such drugs than are killed in highway accidents. Concerns are growing that patients face significant risks from these drugs when they are used at high doses or over long periods.

There is little question that opioids are valuable when used carefully. But some critics say that experts and organizations with drug industry ties have long exerted too much influence over how the drugs are regulated and how doctors perceive them.

"These groups have dominated the public discussion," said Dr. Andrew Kolodny, a psychiatrist in New York who leads Physicians for Responsible Opioid Prescribing. "They say they are defending the interests of pain patients, but the practices they are promoting are harming patients."

Among the companies selling opioids that received the letter Tuesday were Purdue Pharma, the maker of OxyContin; Endo Pharmaceuticals, which makes Percocet; and Johnson & Johnson, which markets Duragesic.

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In a statement, the Janssen division of Johnson & Johnson said that it strove to provide accurate information about its products and that it intended to work with the Senate committee. A spokesman for Purdue Pharma, James Heins, said the company was looking forward to working with the committee. Endo did not have an immediate comment.

At one time, the use of strong opioids was largely limited to cancer patients or those at the end of life. But in the late 1990s, drug companies including Purdue Pharma started promoting them for broader uses, like the treatment of arthritis, back pain and other conditions.

It was about then that the financial ties between drug makers, pain specialists, patient advocacy groups and other organizations began to grow. The groups that were sent letters on Tuesday included the American Pain Foundation, a patient advocacy group, and the Pain and Policy Studies Group at the University of Wisconsin. (The foundation's board last week voted to close because of "irreparable" financial problems.)

Among other activities, the study group, which at one time received large contributions from Purdue Pharma and other opioid producers, lobbied for changes in state laws making it easier to prescribe the drugs.

Neither the American Pain Foundation nor the Wisconsin group responded Tuesday to e-mails seeking comment. Both groups have said they support appropriate use of opioids.

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